

City of Taylorsville
Planning Commission Meeting
Minutes
Tuesday – October 12, 2004 – 7:00 P.M.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission

Aimee Newton, Acting Chair
Ted Jensen
Phil Hallstrom
Kristie Overson
Joan Rushton-Carlson
Blaine Smith

Excused: Angelo Calacino, Dama Barbour

Community Development Staff

Michael Maloy, City Planner
Nick Norris, City Planner
Dan Udall, City Planner
Jean Gallegos, Secretary/Recorder
Excused: Mark McGrath

PUBLIC: Zietta Richardson, Jill Lems, Russell Anderson, Sarahi M. Ponce, Ken Rowberry, Rebecca Sinclair, Wade Graves, Donna Miller, Craig Miller, Rick Kitchens, Les Matsumura, Rod Fellows, Josh Fellows, Chris King, Christine Zarin, Dean Erikson, Paul Watson, Sharon Wall, Russ Wall, Karen Witt, Debbie Andrus, Morris K. Pratt, Rusty Boshared, Sanford Hamilton, Ann Hamilton, Steve Payeur, Alan Hollingshead, Paul Watson.

WELCOME: **Commissioner Newton** called the meeting to order at 7:00 p.m. and explained the procedures to be followed this evening.

HOME OCCUPATIONS

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1. 47H04 **Zietta Richardson, 3825 West 6020 South** – Class D Home Occupation - Family Day Care (Nick Norris/ Planner)
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1.1 **Mr. Norris** oriented on the site plan, aerial map and images. The applicant is requesting a Class D2 Home Occupation Conditional Use Permit to operate a family day care from her home for up to eight children per day. The proposed hours of operation are 5:00 a.m. to 7:00 p.m., Monday through Friday. The applicant was originally licensed by Salt lake County to operate this day care from her home, which she has done for 17 years. About two years ago, she stopped operating the day care and has now decided to re-open it. According to City records, there have been no problems encountered with this day care reported. **Staff recommends approval with the following conditions:**

1.1.1. That the applicant receives approval and remains compliant with all applicable reviewing agencies.

1.1.2 That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.057 Specific Operational Requirements—Class D Home Occupation.

1.2 **APPLICANT ADDRESS:** **19:04:50 Zietta Richardson** was present . **Commissioner Smith** commented that he was not in favor of her being able to start her hours of operation at 5:00 a.m. because that may negatively impact the neighbors. **Mrs. Richardson** explained that her day care door is on the

east side of her home, facing the school. There is a family to the rear of her home and their bedrooms are on the other side of their home, away from her property line. There is a family home across the street located on top of a hill and on the other corner a home that does have their bedrooms facing Mrs. Richardson's home but there is a very large yard in between. She advised that there had never been any complaints from her neighbors previously about this day care. **Commissioner Smith** was satisfied with that explanation. [19:05:54](#) **Commissioner Overson** asked if she had read staff's conditions. She indicated she had read them and expressed no concerns or problems with any of them.

1.3 **SPEAKING:** None.

1.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION.**

1.4 **MOTION:** [19:06:10](#) **Commissioner Hallstrom** - I would move for approval in accordance with staff's conditions. (Outlined in Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.057 Specific Operational Requirements – Class D Home Occupation)
SECOND: **Commissioner Overson**
DISCUSSION: **Commissioner Jensen** - Did we want to alter the starting time?
Commissioner Hallstrom - [19:07:19](#) We need to amend the motion to meet the applicant's requested hours of 5:00 a.m. to 7:00 p.m., Monday through Friday. She has 17 years of history and in view of the way her property is situated and the fact that the neighbors will not be negatively impacted, I feel the explanation supports changing to the earlier hours. **Commissioner Newton** - Then we need to amend requirements in 13.57.057 H to change the hours of operation to 5:00 a.m. to 7:00 p.m. Is the second agreeable to that? **Commissioner Overson** - Yes.
VOTE: **Commissioner Jensen** – AYE, **Commissioner Hallstrom** – AYE, **Commissioner Overson** – AYE, **Commissioner Smith** – AYE, **Commissioner Rushton-Carlson** – AYE.
Motion passes unanimously.

2. 48H04 **Jill Lems, 3344 West 5585 South** - Class C Home Occupation – Beauty Salon.
(Nick Norris/Planner)

2.1 **Mr. Norris** oriented on the site plan, aerial map and images. The applicant is requesting approval to operate a beauty salon from her home for up to seven people per day. The proposed hours of operation are 3:00 p.m. to 7:00 p.m., Tuesday through Thursday and 8:00 a.m. to 3:00 p.m. on Saturdays. The applicant will be converting her garage into the beauty salon. [19:10:28](#) **Commissioner Rushton-Carlson** asked where the cars being displaced by the conversion of the garage would be parked. **Mr. Norris** advised that by ordinance they are required to have two parking stalls for a single family dwelling. In addition to that, with the home occupation, they would need an additional two stalls for a total of four parking stalls. They do have room to park four cars on the driveway and a parking pad they have installed on the side of the home. **Staff recommends approval subject to the following conditions:**

2.1.1 That the applicant receives approval and remains compliant with all applicable reviewing agencies.

2.1.2 That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.057 Specific Operational Requirements—Class C Home Occupation.

2.2 **APPLICANT ADDRESS:** **Chad Lems** was in attendance representing his wife, as she was unable to attend this evening. [19:11:12](#) **Commissioner Overson** asked if by converting the garage into a beauty salon the home would look less like a home. **Mr. Lems** said that there would be no signage

displayed on the home and clients would be seen by appointment only. 19:11:52 **Commissioner Hallstrom** wanted to make sure Mr. Lems knew he must receive all approvals to do the renovation, including that water and sewer are in place prior to approval for this use going into effect, to which Mr. Lems stipulated.

2.3 **SPEAKING:** None.

2.5 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

2.6 **MOTION:** 19:12:38 **Commissioner Overson** - I move for approval of File 48H04 with staff's recommendations, acknowledging Commissioner Hallstrom's remarks that all approvals must in place prior to operating this home occupation.
SECOND: **Commissioner Hallstrom**
VOTE: **Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson – AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE.**
Motion passes unanimously.

3. 50H04 **Rebecca Sinclair, 1006 West 4800 South** – Preschool Home Occupation.
(Dan Udall/Planner)

3.1 Mr. Udall oriented on the site plan, aerial map and images. The applicant is requesting a preschool home occupation in her home for 12 children in the morning from 9:30 a.m. to noon and nine children in the afternoon from 1:00 p.m. to 3:30 p.m. There is a double car driveway on the site, which is a corner lot. The applicant has one of her own children attending the preschool (included in the total number). The applicant is proposing three and four year old children attending the preschool. She advised that the parents pick up and drop off the children on 1000 West and the children enter and depart the rear of her home. Staff wants drop off to be in the driveway. 1000 West is a cul-de-sac and eleven homes have direct access to this cul-de-sac street. **Staff recommends approval subject to the following conditions:**

3.1.1 Receive approval from and remain compliant with all applicable reviewing agencies.

3.1.2 **[Changed by Motion]** That a maximum of 12 children can attend the pre-school home occupation in the morning and that a maximum of ~~9~~ **12** children can attend the pre-school home occupation in the afternoon. The designated number of children includes the caregiver's own children under the age of 6 who are not yet in full day school.

3.1.3 The home occupation is subject to review upon complaint.

3.1.4 The outdoor play area consists of a minimum of 40 square feet in area per child. The operation hours for the outdoor play area shall not exceed 8:00 a.m. to 8:00 p.m.

3.1.5 The outdoor play area shall be secured by an appropriate, well-maintained fence not less than four feet in height. The Planning Commission may require a fence that exceeds four feet in height as it determines necessary.

3.1.6 The dwelling unit should provide an indoor play area at a minimum of 35 square feet in area per child.

3.1.7 A minimum of two parking spaces in the driveway shall be provided for clients, customers or patrons in addition to required residential parking.

3.1.8 A maximum of one name plate sign is allowed to be attached to the single-family home. The sign is allowed to be three square feet.

3.1.9 The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes.

3.1.10 The dwelling unit and landscaped areas shall be well-maintained.

3.1.11 That hours of operation for the preschool are from 9:30 a.m. to noon in the morning and 1:0 p.m. to 3:30 p.m. in the afternoon.

3.1.12 **[Added by Motion] That the sidewalk be installed around the back to access the rear entrance before the preschool opens.**

3.2 **APPLICANT ADDRESS:** Rebecca Sinclair was present. 19:15:38 Mrs. Sinclair commented that with the home being on 4800 South, her main concern was with the traffic. That they do have a two-car driveway where the children could be dropped off if need be. Her home is on a cul-de-sac and the traffic is minimal and her neighbors do not mind the children being dropped off because most of them are working during the hours the pre-school is in session. The children are not dropped off in the street but are let out on the sidewalk and go from there to the rear of her home. **Commissioner Newton** asked if there were a sidewalk access all the way to the rear of the home and Mrs. Sinclair said there was not at the present time but they will be putting in one. **Commissioner Hallstrom** advised that there is a requirement for day care home occupations that the back yard be completely fenced. 19:17:11 He also informed Mrs. Sinclair that if the neighbors complain about vehicles blocking their accesses, this will come back before the Planning Commission for review. **Commissioner Rushton-Carlson** 19:18:45 said that she could see the problem in vehicles trying to back out of this driveway on to 4800 South. **Commissioner Newton** commented that the Commission just wants to make sure the neighbors are happy with this. **Commissioner Hallstrom** felt the back door entrance was acceptable as long as the sidewalk is installed. Mrs. Sinclair's last comment was that her application should read there would be 12 children for both sessions and not just nine for the afternoon one.

3.3 **SPEAKING:** None.

3.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

3.5 **MOTION: 19:20:40 Commissioner Rushton-Carlson - I move for approval of Application 50H04, with staff's recommendations being in place prior to the preschool opening, amending #2 to change the number of children allowed to attend the afternoon session from 9 to 12. Also adding #12 that the sideway be installed around the back to access the rear entrance before the preschool opens.**

SECOND: Commissioner Hallstrom 19:21:40

VOTE: Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson – AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE. Motion passes unanimously.

VOTE: Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson – AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE. Motion passes unanimously.

4. 51H04 **Sarahi M. Ponce, 4960 South Green Tree Way** – Home Occupation Class D3 – Family Day Care (Amendment). Nick Norris/Planner)

4.1 [19:22:06](#) Mr. Norris oriented on the site plan, aerial map and images. The applicant is requesting an amendment to an existing Conditional Use Permit to increase the number of children attending her day care from eight to twelve. The applicant has not requested any other changes to the existing day care. No complaints have been received. **Staff recommends approval subject to the following conditions:**

4.1.1 That the applicant receives approval and remains compliant with all applicable reviewing agencies.

4.1.2 That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.057 Specific Operational Requirements—Class D Home Occupation.

4.2 **APPLICANT ADDRESS:** **Sarahi Ponce** was present, had read staff's recommendations and had no comments or concerns.

4.3 **DISCUSSION:** [19:23:37](#) **Commissioner Rushton-Carlson** inquired if the applicant would have an assistant with that many children and Mrs. Ponce replied that her mother would be helping her and that no parking would be required for her because she does not drive a car.

4.4 **SPEAKING:** None.

4.5 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

4.6 **MOTION:** **Commissioner Hallstrom - Inasmuch as this home occupation has been functioning for quite sometime now with no complaints having been received by the City, I recommend approval in accordance with staff's recommendations and increase the number of children in day care from 8 to 12.**
SECOND: **Commissioner Smith**
VOTE: **Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson – AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE.**
Motion passes unanimously.

5. 52H04 **Karen Witt, 2155 W. Hammond Drive (5450 S.)** – Home Occupation Permit for Preschool. (Michael Maloy/Planner)

5.1 [19:25:00](#) Mr. Maloy oriented on the site plan, aerial map and images. The applicant is requesting approval of an amendment to a home occupation permit (25H01), previously issued by Taylorsville City at this address. The applicant has requested approval to increase the number of children allowed per pre-school session from 10 students to 12 students. **Staff recommends approval to amend condition #3 of Home Occupation Permit #25C01 to say:**

5.1.1 "3. No more than ~~40~~ **12** children may be cared for or instructed per session."

5.1.2 Also, to add that the damage noted to the fence must be repaired. (Subsequent inspection by Mr. Maloy indicated the fence has been adequately repaired).

5.1.3 The applicant is only doing one pre-school session per day and staff is supportive in the event she wants to add a second session.

5.2 **APPLICANT ADDRESS:** **Mrs. Witt** was present, had read staff's recommendation and did not wish to speak further at this time.

5.3 **SPEAKING:** None.

5.4 THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION

- 5.5 **MOTION:** [19:27:52 Commissioner Hallstrom](#) - Inasmuch as this home occupation has been operational for three years and no complaints have been received by the City, which I feel is commendable, I recommend approval of this application as stated.
SECOND: [Commissioner Overson 19:28:20](#)
VOTE: [Commissioner Jensen](#) – AYE, [Commissioner Hallstrom](#) – AYE, [Commissioner Overson](#) – AYE, [Commissioner Smith](#) – AYE, [Commissioner Rushton-Carlson](#) – AYE.
Motion passes unanimously.

ZONE CHANGES

6. 12Z04 **Joshua Pettit, 6210 S. 3200 W.** - Zoning Map Amendment from R-1-8 to C-2
(Nick Norris/Planner)

[19:28:35](#)

6.1 Mr. Norris oriented on the aerial and images. The applicant is proposing to rezone approximately 0.5 acres of land from R-1-8 to C-2. The property is currently vacant. The applicant plans to build a new car wash on the property with two automatic car wash bays and three self-serve bays. There will also be vacuum stations located on the north side of the property. The property is currently owned by the City of Taylorsville and has been offered for sale for several months. The property was purchased by the City as part of the 6200 South improvement project. **Staff recommends the Planning Commission give a positive recommendation to the Taylorsville City Council based on the following reasons:**

6.1.1 The request is consistent with the Taylorsville General Plan designation of Community Commercial.

6.1.2 Rezoning the property does not adversely impact the surrounding residential neighborhood.

6.1.3 The property to the east is zoned C-2.

6.2 **DISCUSSION:** [Commissioner Smith](#) asked how a zone change could be requested for property not owned by the applicant. [Mr. Norris](#) said that it can be done with the permission of the property owner.

6.3 **APPLICANT ADDRESS:** [19:31:22 Dean Erikson](#) (partner of Joshua Pettit). Mr. Erikson said part of their goal is to provide enough car washes so that people will not wash their cars in their driveways and have the water run down the street. In the new car washes, the system filters out the impurities and recycles the water. [19:32:34](#) The site will be raised grade-wise 13' in the back. He advised that they have previously used a product made by Ready Rock Company, which has worked out nicely in other similar projects. This would provide two tiers of rock and 8' wide landscaping with trees. Grade will be at 13', which adds a barricade to control the vehicle lights entering and leaving the facility. This will be a state of the art facility. Decibel levels 50' from the car wash are lower than ordinary street ambient noise.

6.3.1 **DISCUSSION:** [Commissioner Newton](#) had a concern about this being operational 24 hours a day and wanted to know what type of impact that would create for the neighborhood.

[19:34:37](#) Mr. Erikson indicated that they have no complaints about the other similar car washes they have built. [19:35:02](#) He continued on to say that this one will be completely out of the way due to the grade involved. At another location there was an 84 year old woman who had lived in the home since

she was born. When they were done with that project, they remained in contact with her to make sure everything was okay and she had no problems with the use at all. [19:36:00](#) Mr. Erikson also advised that they have had planning staff members in another City check the ambient road noise on a project in that City, which also revealed no problems. All equipment and pumps are located inside an equipment room, and that along with the wall in place would make this project very quiet.

6.4 **SPEAKING:**

6.4.1 **Rick Kitchens** [19:39:32](#) (Lives adjacent to the corner). He expressed appreciation for the noise reduction process for the car wash motors. However, said there remains the factor of the use of stereos by people using the bays and the vacuums. The plan shows the ground level of the car wash to the top of the wall is 3'. A better buffer could be provided by requiring a 10' high wall there. He wondered where they will pull the resources from for water, power, gas and sewer. [19:40:40](#). The sewer line is located 300' down 6200 South and to get to it, they will have to go through private property (homes and back yards). He felt neighborhood security would be negatively impacted by the 24 hour use and the fact that there is no buffer zone between four homes in the cul-de-sac along the back property line. Mr. Kitchens asked that the Planning Commission consider something else for that corner that would blend in with the expensive homes Ivory Highlands is going to build near this site.

6.4.2 **Wade Graves** [19:43:56](#) (Owner of a home behind the property). Mr. Wade wondered if the proposed owner is aware that this site contains "Caliche" which is naturally made concrete within the soil which will restrict any type of building thereon. In some places that concrete substance goes a quarter of a mile deep in the Earth. Mr. Wade said that he had his own home built here and the contractor designated \$1,300 for a backhoe to dig for the basement. It took a track hoe, a week and a half to do and \$3,400 for that tractor work. When the City put in the side walk, they also ran into that Caliche. If the applicant proposes to put up that beautification wall, he will have to go 30" below ground level, down to the freeze line, which can't be done on the property line because the Caliche is right at the surface. Mr. Wade had called Okland Construction and had them survey this site, which revealed the grade must be brought up at the property lines of the four homes at the highest level 22'. Okland Construction estimated \$100,000 to build the retaining wall made out of concrete. Mr. Wade is not totally against the car wash just wants to make sure it can be retained safely.

6.4.3 **Chris King** [19:47:51](#) echoed the previous comments about the natural concrete being a major concern. He also was concerned that this is a dangerous intersection in the winter and felt this use would compound that. Mr. King does not want a 16' high wall at his property line.

6.4.4 **Steve Payeur** [19:49:51](#) would like assurance that something safe will be built on this site. His back yard is that hill and he was concerned about flooding, loss of security and privacy, impact of littering and property damage. He was in favor of some type of retaining wall to buffer the traffic and noise. [19:51:48](#) In response to Commissioner Rushton-Carlson's question on what he would prefer to be located on this site, Mr. Payeur said a dental or business office.

6.5 **APPLICANT READDRESS:** Mr. Erikson responded to neighbor's concerns by saying that during the conditional use process, they would meet with all the neighbors. Reference sewer access, the line would be run between the sidewalk and the street with a directional boring technique. The wash bays will be computer driven to monitor and make sure the equipment is functioning properly. [19:54:39](#) The retaining wall is proposed to be made out of Ready Rock, which locks together and is extremely durable. On the landscaping, the City requires 10% and the applicant plans to add much more than that and will make this site look very nice. He said that the applicants are very willing to work with City Staff and the neighbors to make sure this is a successful project. That they are aware of the expense involved in preparing this site for eventual construction but felt this use is one of only a few that would work on this particular piece of property

6.5 THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION

6.6 DISCUSSION:

6.6.1 [19:59:18](#) **Commissioner Hallstrom** explained that he felt the process is that if the Commission is in favor of the use, then go ahead with the zoning change but it would not be correct to rezone it until the Commission knows exactly what is going to go on the property. He added that he is not in favor of car washes in general because Taylorsville has so many already and several within this general area. He felt that anything with water involved at that location is an unacceptable dangerous risk to the City, that this use would create a noise problem for the neighborhood at all hours of the day and night and he was not in favor of having a 16' high wall abutting against people living in a subdivision. He thanked those who came forward to speak.

6.6.2 **Commissioner Newton** felt that these issues would still exist, no matter who develops this location. **Commissioner Hallstrom** suggested that there are other things that could go there, including a park, continuing that just because there is a piece of vacant ground, doesn't mean it must be developed. [20:02:37](#). There are physical restraints that may make that impossible.

6.6.3 **Commissioner Overson** [20:03:14](#). commented that she too appreciated the neighbors coming forward with their concerns. She agreed with a lot that was said by **Commissioner Hallstrom** but indicated that this is a zoning issue tonight and the car wash use is not being reviewed at this time and felt that this piece of property is appropriate to be rezoned to C-2.

6.6.4 **Commissioner Jensen** [20:03:56](#) asked that Mr. Norris review what the other zonings are. **Mr. Norris** advised that to the east it is C-2, to the north, A-1 (public utility), and R-1-8 in the other direction. **Commissioner Jensen** asked what the differences were between C-1 and C-2 and **Mr. Norris** replied it was the intensity of the use involved. [20:04:49](#). C-2 has more permitted and conditional uses allowed. **Commissioner Jensen** felt that this intersection should be reviewed as part of the General Plan study currently underway. **Mr. Norris** advised that inasmuch as this application was filed under the current general plan, that may create legal ramifications.

6.6.5 **Mr. Maloy** [20:07:09](#) explained to the Commission that they could recommend denial but felt they have an obligation to make a recommendation and forward it to the City Council.

6.7 **MOTION #1: Commissioner Hallstrom - 20:07:43** I would like to recommend to the Planning Commissioners, if they feel they must move ahead with the C-2 zoning application, that they do it on the basis that special zoning requirements be put on it that would preclude metal recycling and car washes

SECOND: Commissioner Smith

Commissioner Newton - The motion is to approve this as a C-2 zone with basically a C-2/zc (zoning condition), restricting metal recycling centers and car washes.

VOTE: Commissioner Overson – NAY, Commissioner Hallstrom – AYE, Commissioner Smith – AYE, Commissioner Jensen – NAY, Commissioner Rushton-Carlson – NAY.

Motion fails 3 to 2.

6.8 **MOTION #2: Commissioner Overson - 20:09:09.** I move that we give a positive recommendation to the Taylorsville City Council based on staff recommendations that this property be zoned C-2. This recommendation in no way advances the cause of the car wash but designates the land as changing from its' current designation to C-2. I would caution the applicant to work with the neighbors now if he desires this use.

SECOND: Commissioner Rushton-Carlson

VOTE: Commissioner Overson – AYE, Commissioner Hallstrom – NAY, Commissioner Smith – NAY, Commissioner Jensen – AYE, Commissioner Rushton-Carlson – AYE.
Motion passes 3 to 2.

CONDITIONAL USES

7. 36C04 Russell Anderson, 4975 South Redwood Road - Convert Residential Home into Professional Office. (Dan Udall/Planner)

7.1 Mr. Udall oriented on the site plan, aerial map and images. [20:12 :25](#)

7.1.1 The applicant is proposing to convert a residential home into a professional office. The one-story building has a basement and the entire square footage is 2,417. The applicant desires to convert the basement into a Certified Public Accountant office and will lease out the main floor to another professional office business. There is an accessory building in the rear which will be removed from the site to provide parking and landscaping for the proposed project.

7.1.2 The building elevation will not change except for the following: The applicant will be proposing a handicapped ramp on the southeast corner that is required by the building department. The porch in the rear will be replaced with a new porch. The front door will be replaced with a new door and the 4' high chain link fencing will be removed.

7.1.3 The rear of the lot will be left vacant. This area may be developed in the future. The applicant is proposing to keep the weeds down.

7.1.4 **Staff recommends approval of the preliminary conditional use application subject to the following conditions:**

7.1.4.1 Receive approval from and remain compliant with all applicable reviewing agencies.

7.1.4.2 That the dumpster on the site should be screened with a six-foot wall that is similar in architecture to the building. The dumpster should be covered. The gates of the dumpster should be solid.

7.1.4.3 That an additional parking stall is provided. That all handicapped parking meets all City ordinances.

7.1.4.4 That the project receives storm drain approval from City Engineering.

7.1.4.5 Receive UDOT approval of the northern driveway access on Redwood Road. Vehicle access should be a minimum of 24' wide.

7.1.4.6 That any mechanical equipment at ground level is screened by a wall that matches the colors, building materials and architecture of the building.

7.1.4.7 That any mechanical equipment on the roof of the building is screened or positioned so that it is not visible from ground level.

- 7.1.4.8 That no outside storage is allowed.
- 7.1.4.9 Any signage will require necessary permits and must comply with City Sign Ordinances.
- 7.1.4.10 Trees, equal to the amount of one tree per 25 feet of frontage or portion thereof, shall be placed along the perimeter of the project, except in areas where the landscaping is less than 5' wide.
- 7.1.4.11 That the Planning Commission accepts the building setback along Redwood Road.
- 7.1.4.12 **[Changed by Motion]** That the weeds on the undeveloped portion of the property (east side) are properly cut and remain under 6" in height and **trash must be removed when present.**
- 7.1.4.13 That the lighting on site does not reflect onto residential properties. The Planning Commission will review any lighting complaints.
- 7.1.4.14 That final conditional use approval is reviewed by Staff.
- 7.1.4.15 That the chain link fencing along Redwood Road is removed and a sidewalk is extended from the office to the sidewalk along Redwood Road.
- 7.1.4.16 That as many shrubs as possible remain in front of the building.
- 7.1.4.17 That the area on the northwest side of the building is landscaped.

7.2 **APPLICANT ADDRESS:** **Russell Anderson** had a couple of questions on staff's conditions #2 and #6, which talk about screens around dumpsters and mechanical equipment being architecturally the same as the existing building, which is 50 year old red brick. **Mr. Anderson** asked that he be allowed to substitute white vinyl for the red brick. **Mr. Udall** advised that staff would prefer the dumpster enclosure look the same as the building, however, the gate could be vinyl. [20:17:13](#) **Commissioner Hallstrom** suggested using the brick from the garage which will be torn down. **Mr. Anderson** said he didn't know if that would be feasible. He asked Staff about #15 and the location of the sidewalk staff wants installed. **Mr. Udall** advised that it would go along Redwood Road on the south side for pedestrian usage. [20:17:13](#) **Mr. Anderson** was agreeable with that. [20:17:59](#) **Mr. Maloy** commented that there is an American National Standards for Accessibility and that in the past he has seen the building official through the building code, require that there is a pedestrian connection from the public right-of-way a building. [20:18:27](#) However, that is a separate issue from what Mr. Udall is addressing. [20:18:59](#) **Mr. Anderson** had one last question to be answered and that was concerning the type of screening material to be required by the Commission. [20:19:31](#) The mechanicals must go in the notch that staff has indicated they want landscaped. [20:19:49](#) **Commissioner Overson** expressed concern about the weeds in the back. One condition is that the weeds must be cut and remain under 6" in height. **Mr. Anderson** agreed to comply with that condition .

7.3 **SPEAKING:** None.

7.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

7.5 **DISCUSSION:** **Commissioner Newton** asked staff for clarification on Mr. Anderson's questions reference the screening issues of Recommendations #2 and #6. **Commissioner Hallstrom** felt the screening is very important and it needs to be very clean and neat. Redwood Road is going to become more significant and important to the City as time goes on. This is the first generation use of this

property, hopefully lasting five to ten years before things change again. [20:21:08](#). That is why the issue of screening is important and the suggestion to use the available brick on site is logical and workable. Therefore, it was recommended to leave in Items #2 and #6. Staff has expressed their preference to have brick. **Commissioner Hallstrom** added that Item #11 that the Planning Commission accepts the building setback along Redwood Road. He felt it was grandfathered in by virtue of the fact that it was okay at one time but with the expansion of the road, front yardage has been shortened, therefore, the setback for this use will be satisfactory. [20:22:33](#) **Commissioner Overson** said she is confused about #6 on the mechanical equipment being screened by a wall that matches the colors of the structure. The applicant said that the mechanical equipment consists of air conditioning in the notched part where staff wants more landscaping. She asked if both of those things could happen. [20:23:03](#) **Mr. Udall** said it was possible to screen the mechanicals and add landscaping, with which **Commissioner Hallstrom** agreed. **Commissioner Jensen** [20:23:17](#) suggested that the area to the east where the weeds would be controlled, should be expanded to eliminate the accumulation of litter also. [20:23:59](#) **Commissioner Newton** said that could be added to Item #12 in staff recommendations.

- 7.6 **MOTION:** [20:24:28](#) **Commissioner Hallstrom** – I recommend approval of Application 36C04 in accordance with staff's recommendations, making special mention that we discussed using brick for the screens that are required and that Item #11 is acceptable to the Planning Commission and include on Item # 12 (regarding weed control) also that trash must be removed when present.
SECOND: **Commissioner Rushton-Carlson**
VOTE: **Commissioner Jensen** – AYE, **Commissioner Hallstrom** – AYE, **Commissioner Overson** – AYE, **Commissioner Smith** – AYE, **Commissioner Rushton-Carlson** – AYE.
Motion passes unanimously.

8. 37C04 **Sanford Hamilton, 1638 W. 6235 S.** – Dental Office. (Michael Maloy/Planner)

8.1 **Mr. Maloy** oriented on the site plan, aerial map and images. [20:25:42](#) Mr. Hamilton has applied to construct a new 4,865 square foot dental office building on 1.07 acres. The proposed building is a single story building with optional basement office space (future lease or expansion). **Due to all required information not having been submitted by the applicant in time for this meeting tonight, Staff recommends continuance of this application to the November 9, 2004 meeting.**

8.2 **DISCUSSION:**

8.2.1 **Mr. Maloy** commented that this is consistent with the land use objectives for Redwood Road. This project is proposed to have a shared access point with the existing credit union. This site slopes away from the street to the north and has some grading issues. He showed the Commissioners the newest site plan, which contains some changes from the one they previously had seen and better accomplishes objectives of the City along with potentially cross access for future development. Staff would like the drive aisle go all the way to the property line. The basement is a potential leasable space and is one reason for the fairly high parking ratio. [20:29:35](#) The new building will feature natural light through the windows which is important to the applicant. Technically this application is incomplete but since it was noticed to the public, staff recommends it be kept on the agenda and continued to the November 9, 2004 meeting. Staff would like to make sure that the building includes architectural features on all sides of the building and to create a campus feel to this site. [20:33:03](#)

8.2.2 **Commissioner Hallstrom** suggested the foot print be made smaller so that the roof elevations, which seem to be excessively high, can be lowered and make this building look better. [20:34:28](#). **Mr. Maloy** felt a two story format would be attractive [20:35:00](#). **Commissioner Rushton-Carlson** asked for the reason for the height of the roof. [20:35:41](#) **Mr. Maloy** explained that the applicant is very willing to work with staff and felt that a solution could be reached between them on the issue of

roof height. [20:35:50](#). **Commissioner Rushton-Carlson** asked if the purpose tonight was just to continue this item to the next meeting and **Mr. Maloy** said that because it has been noticed, public input and Planning Commission direction should be taken. [20:36:41](#) **Commissioner Jensen** asked if they do finish the basement, would there be adequate parking still available, to which **Mr. Maloy** replied there would be. **Commissioner Jensen** inquired if the drive aisle change would be included and **Mr. Maloy** said it would be. [20:36:59](#) **Commissioner Jensen** said that along the front on 6200 South there are a number of trees that are either very old or have been damaged and asked if they would be replaced, which **Mr. Maloy** affirmed.

8.3 **APPLICANT ADDRESS:** **Mr. Hamilton** [20:38:08](#) was present and advised he was open to options on the roof size issue.

8.4 **SPEAKING:** **Craig Miller** [20:38:28](#) (owns property directly north of this site). Mr. Miller wanted to know what kind of fence or wall would be required and how tall it would be. His concern was that he didn't want another wall like the one placed to the north of the credit union where because of the slope it was like the wall was non-existent. He also is not in favor of a two story building. [20:39:52](#) **Mr. Maloy** assured Mr. Miller that the Commission has the ability to change the type of fencing and would make sure there is an appropriate buffer. He suggested a line of site survey similar to the one done on the City property's northern wall would probably work for this site. [20:41:41](#) **Commissioner Rushton-Carlson** asked Mr. Miller if a 6' above grade fence would be acceptable to him, to which he agreed.

8.5 THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION

8.6 **DISCUSSION:** **Commissioner Overson** [20:42:36](#) felt that this project is going in the right direction and will be a very nice building and hoped there would be emphasis on landscaping. **Commissioner Hallstrom** [20:42:59](#) wanted to make sure that, since there is an enormous amount of roofing involved, the materials are soft and don't make a huge statement. **Mr. Maloy** suggested the possibility of installing dormers. [20:43:48](#). He went on to say that while this is a gateway into the neighborhood, staff still wants to make sure the commercial aspect of this section of Redwood Road is maintained. Staff is also looking at being able to tie this structure in with the credit union building to make the two architecturally compatible. [20:44:52](#) **Mr. Maloy** continued that this site also requires a one lot subdivision, therefore, both applications will be reviewed next month. [20:47:43](#)

- 8.7 **MOTION:** [20:46:36](#) **Commissioner Overson** - I move that we continue File 37C04 to the next Planning Commission meeting on November 9, 2004.
SECOND: **Commissioner Rushton-Carlson**
VOTE: **Commissioner Jensen** – AYE, **Commissioner Hallstrom** – AYE, **Commissioner Overson** – AYE, **Commissioner Smith** – AYE, **Commissioner Rushton-Carlson** – AYE.
Motion passes unanimously.

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9. 38C04 **Russ Wall, 4841 S. Simper Lane (3400 West)** - Animal Hobby Permit. (Nick Norris/Planner)
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9.1 Mr. Norris oriented on the site plan, aerial map and images. The applicant is asking for a conditional use animal hobby permit to have three dogs in a single family residence. There are currently three dogs at the residence consisting of a Labrador and Husky mix and two Yorkshire Terriers. The Labrador and Husky mix and one Yorkshire Terrier are currently licensed. There have been no complaints filed with Animal Services. **Staff is recommending approval with the following modifications and conditions:**

9.1.1 The Conditional Use Permit is reviewable upon complaint.

9.1.2 All Taylorsville City licensing requirements are met.

9.1.3 That final approval of the Conditional Use Permit is granted by staff.

9.2 **APPLICANT ADDRESS:** Russ Wall was present but had no additional input.

9.3 **SPEAKING:** None.

9.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

9.5 **MOTION:** [20:49:32 Commissioner Hallstrom](#) - I move for approval in accordance with Staff's recommendations.

SECOND: [Commissioner Smith](#)

VOTE: [Commissioner Jensen](#) – AYE, [Commissioner Hallstrom](#) – AYE, [Commissioner Overson](#) – AYE, [Commissioner Smith](#) – AYE, [Commissioner Rushton-Carlson](#) – AYE. Motion passes unanimously.

SUBDIVISIONS

10. 7S04 **Exchange Place, 5723 S. 1595 W.** - Subdivision Plat Amendment. (Michael Maloy/Planner)

10.1 **Mr. Maloy** oriented on the site plan, aerial map and images. [20:51:10](#) The previous subdivision plat was recorded with the final phase containing two larger condominium office buildings and the current property owner believes that in the current market, three smaller office buildings is more marketable to attract tenants. What needs to be done now is vacate that previous legal description for those two larger office buildings and replace them with the three smaller legal descriptions. Staff has emphasized to the applicant that the current dirt lane must be paved prior to occupancy of the first building. These are vertical units, townhouse styling with an unfinished basement for storage.

10.1.1 **Staff recommends final approval of Subdivision File #8S04 to amend the Exchange Place Office Park Subdivision Plat with the following conditions:**

10.1.1.1 Building and street addressing shall be reviewed and approved by the City Engineer prior to plat recordation.

10.1.1.2 [20:53:34](#) Because of the second entrance being added off of 1500 West, a directional sign package will be required and which can be worked out with the City Engineer.

10.2 **DISCUSSION:** [20:54:48 Commissioner Hallstrom](#) felt like a map board is effective at the entry of a project. **Mr. Maloy** commented that the way-finding signage project recently erected in the Family Center has generated many positive comments and may work in this center as well.

10.2 **APPLICANT ADDRESS:** **Alan Hollingshead** said that he was okay with everything Staff has proposed but would like their assistance on the signage package. He felt it was a good suggestion and was in favor of implementing it. [20:57:11 Commissioner Jensen](#) asked Mr. Hollingshead if they had talked with IHC yet about the shared access and Mr. Hollingshead replied that they had made numerous attempts but as yet had not been able to talk with anyone about it. He indicated this is going to be a very attractive development and could not imagine IHC having any problems with it. [20:57:46](#)

10.3 **SPEAKING:** None.

10.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

10.5 **MOTION: 20:58:17 Commissioner Hallstrom - In view of the fact that all this is a matter of consistency with the conditional use approval that we have already issued and this completes the package and gets rid of the old subdivision file that has been recorded and puts another in its place, I move for approval.**
SECOND: Commissioner Rushton-Carlson
VOTE: Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson - AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE. Motion passes unanimously.

11. 8S04 **David Anderson, 5900 S. Jordan Canal Road (2025 W.)** – Simple Subdivision.
Michael Maloy/Planner

[20:58:57](#)

11.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant, Mr. David Anderson has submitted an application to re-subdivide two residential parcels into three, thereby creating two new buildable lots. Lot 1 will contain the existing house, while Lots 2 and 3 will be cleared for development of two new single-family residences. The proposed subdivision is located within an A-1 Agricultural Zone, which requires a minimum lot size of 10,000 square feet for a single family residence. This is private property being served by a private road with a bridge that serves the single family residence that is currently there. The bridge serves multiple residential properties. One of the parcels that will be created is currently served by the bridge that currently goes to an accessory structure. That structure would be demolished in preparation of erection of a single family home. The Fire Department feels there is a need to provide an emergency vehicle turn around area on this site, either with a cul-de-sac or modified hammerhead. Another requirement from the Fire Department is in the middle there is a small “no build” easement area because the Fire Department has a standard that basically says if there is a structure that is over 150’ away, a hard surface access with a turn around is required. **Staff recommends preliminary approval of Anderson Subdivision No. 1 with the following conditions:**

11.1.1 Application must receive approval from all applicable reviewing agencies of the City (i.e., City Engineer, Salt Lake County Fire Department, Taylorsville-Bennion Improvement District, etc.) prior to recordation.

11.1.2 Applicant shall state addresses for each parcel included in the plat.

11.1.3 Applicant must include a statement on recording document(s) that private roads are not maintained by the City of Taylorsville.

11.1.4 Applicant shall contact the Salt Lake County Recorder’s Office and verify recordability of the subdivision plat (including proposed subdivision name) prior to final submission of the subdivision plat to be recorded.

11.1.5 Applicant shall pay all required fees prior to final approval of the subdivision plat including impact fees and recordation fee.

11.1.6 **[Added by Motion] Staff will handle final review.**

11.2 **APPLICANT ADDRESS:** **Paul Watson, PEPG Engineering, L.L.C.** **Mr. Watson** advised that the owner asked his company to look at this lot. After review, it was decided to stay with two

half acre lots and the third lot with the existing structure thereon. **Commissioner Newton** asked if there were covenants in place for this area that would prevent a subdivision? **Mr. Watson** was not aware of any. (A gentleman in the audience commented that the restrictive covenants for that area had expired about ten years previous). **Commissioner Rushton-Carlson** said that in the pre-meeting the adequacy of the bridge to handle additional traffic was discussed. **Mr. Watson** indicated that the bridge only accesses one of the lots and the other two lots would access off of the second bridge. The first bridge goes back to an existing barn, which will be torn down when the buyer of the lot decides to build on it. He felt the bridge was adequate for this use, however, that a structural analysis has not been completed on the bridge. The bridge in question would be considered a single family driveway and only access the one lot.

11.3 **SPEAKING:** None.

11.4 **THERE BEING NO ONE WISHING TO SPEAK TO THIS ISSUE, THE PUBLIC HEARING PORTION WAS CLOSED AND OPENED TO THE COMMISSION FOR DISCUSSION OR A MOTION**

11.5 **MOTION 21:06:48 Commissioner Overson - I move for approval of File 8S04 with staff recommendations, including #6 that staff reviews final.**
SECOND: Commissioner Rushton-Carlson
VOTE: Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson - AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE. Motion passes unanimously.

12. **General Plan Update Discussion (Michael Maloy)** - Mr. Maloy advised that arrangements are being made to go on a field trip on October 26, 2004 relative to the General Plan land use map. [21:08:37](#). The Commissioners are being asked to meet in front of the City Offices at 4:00 p.m. where they will board a van for the field trip.

MINUTES:

MOTION: **Commissioner Overson** - Having read the Minutes of September 14, 2004 and notifying the recording secretary of one error for correction, I find they substantially represent the conversations of that evening and as the final documentation will be from an audio recording we have on file, I move for approval of these minutes. [21:12:36](#)
SECOND: Commissioner Hallstrom
VOTE: Commissioner Jensen – AYE, Commissioner Hallstrom – AYE, Commissioner Overson - AYE, Commissioner Smith – AYE, Commissioner Rushton-Carlson – AYE. Motion passes unanimously.

ADJOURNMENT: By motion of Commissioner Smith, the meeting was adjourned at [21:13:49](#).

Jean Gallegos, Secretary/Recorder
Planning Commission

Approved in meeting held November 9, 2004

